

**FILED**

**JUN 03 2022**

**KSBN**

**BEFORE THE KANSAS STATE BOARD OF NURSING**

Landon State Office Building, 900 S.W. Jackson #1051  
Topeka, Kansas 66612-1230

**IN THE MATTER OF  
CARLY ADAMS**

**License No. Application**

**Case No. ~~2022-112-6~~ 2022-231-0**

**CONSENT AGREEMENT AND FINAL ORDER**

The Kansas State Board of Nursing, represented by Assistant Attorney General, William J. Skepnek, and the Respondent, Carly Adams, hereby enter into this agreement and proffer evidence and the hearing officer adopts those recommendations and makes the following findings of fact and orders:

1. Respondent has filed an application to practice nursing in the State of Kansas. The Kansas State Board of Nursing (Board) has jurisdiction over the Respondent and the subject matter of this action.
2. Respondent understands that he or she may be represented at Respondent's expense by an attorney during these proceedings.
3. After an investigation, the Board's investigative committee found reasonable grounds to believe that the Respondent violated the Kansas Nurse Practice Act, K.S.A. 65-1120, and referred this matter for further proceedings.
4. The Board has the authority under K.S.A. 74-1106 et seq. to examine, license and renew licenses for duly qualified applicants and may limit, deny, suspend or revoke a license or authorization to practice nursing, may issue a public or private censure and levy administrative fines consistent with K.S.A. 74-1110, if a violation of K.S.A. 65-1120 is established.

5. The role of the Board is to protect citizens of Kansas.
6. Respondent has the right to a hearing with evidence and witnesses and to seek review of the findings from that hearing in accordance with the Kansas Administrative Procedure Act and the Act for Judicial Review and Civil Enforcement of agency actions.  
Respondent is waiving those rights and voluntarily entering into this agreement instead of proceeding to such a hearing.
7. By entering into this Consent Agreement and consenting to the entry of the Final Order, both parties waive their right to full administrative proceedings pursuant to K.S.A. 65-1120 and K.S.A. 77-501 et seq. and to judicial review.

#### **AGREED FINDINGS OF FACT**

8. The Respondent stipulates to the following facts:
9. On or about March 19, 2022, Licensee failed an application for licensure with the Board.
10. Licensee was convicted of DUI, 3<sup>rd</sup>, a Felony, in the District Court of Cowley County, Kansas, Case No. 2021-CR-000256-2.

#### **CONCLUSIONS OF LAW**

11. The Respondent stipulates that, based upon the above agreed findings of fact, that he or she has violated the Kansas Nurse Practice Act:

**Count 1:      K.S.A. 65-1120(a)(2), to have been guilty of a felony, or to have been guilty of a misdemeanor involving an illegal drug offense.**

#### **DISPOSITION**

12. If Respondent has met all other licensing requirements, the Board will **APPROVE** Respondent's application to obtain her Kansas license and will not take additional

disciplinary action against Respondent's nursing license for the violations stated above as long as respondent completes each of the following conditions and requirements:

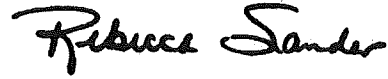
- a. The Respondent shall immediately inform all employers and prospective employers of this Consent Agreement and the Final Order. This requirement shall last until such time as the Board inactivates this case as set out below.
  - b. Respondent shall immediately participate in a drug and alcohol evaluation with KNAP. Respondent agrees to follow KNAP any recommendations, including, if required, to enter into a KNAP monitoring agreement.
  - c. Respondent shall not violate the Kansas Nurse Practice Act during the duration of this agreement.
  - d. Respondent shall not violate the laws of the United States, or State, or of any political subdivision of any State during the term of this agreement. Traffic infractions shall not be considered violations of the law.
13. If Respondent has satisfied all other licensing requirements, the Board will approve Respondent's application for licensure. Licensee's license shall immediately be suspended. Respondent's suspension will be lifted after Respondent has satisfied the requirements of paragraph 12(b).
14. Based upon this agreement, and pursuant to the disciplinary remedies available in K.S.A. 65-1120, the parties agree that this Consent Agreement and Final Order will continue through any renewal periods of Respondent's nursing license until respondent completes each of the conditions and requirements of this agreement. Further, the parties agree that in the event of a lapse of Respondent's nursing license, reinstatement of Respondent's nursing license shall be contingent upon this Consent Agreement and Final Order

remaining in effect until Respondent completes each of the conditions and requirements of this agreement.

15. Respondent acknowledges and agrees that Respondent is responsible for the costs related to satisfying the conditions and requirements of this Consent Agreement and Final Order. Respondent further acknowledges and agrees that to provide the Board with false information regarding compliance with this Consent Agreement is a violation of this Consent Agreement and Final Order.
16. If Respondent does not meet these conditions and requirements, the Board may request additional sanctions against Respondent's license or application for a license. Respondent would be sent notice of such action and would be entitled to a hearing as to whether Respondent had complied with this Consent Agreement and Final Order, but Respondent could not contest the facts or violations listed in this agreement.
17. All parties understand that if an action based on failure to meet the conditions and requirements of this Consent Agreement and Final Order is filed, K.S.A. 77-531 requires the Notice of Hearing to be served upon the Respondent and the Respondent's attorney of record, if any. All parties agree that only serving the Notice of Hearing upon the Respondent will be proper service and it is the Respondent's responsibility to contact his or her attorney, if any, in reference to the action.
18. The Board will inactivate this case file once respondent satisfies this agreement. This agreement does not prohibit the agency from taking disciplinary action against Respondent's license for any additional or cumulative violation of the Kansas Nurse Practice Act committed by the Respondent before or after this agreement is entered into.

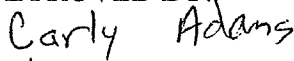
19. This agreement is a discipline and must be reported on any future renewal or reinstatement applications. The original of this agreement shall be placed in the Agency Record. This Agreement is a public record and will be reported to national disciplinary data banks.
20. After successful completion of all of the conditions and requirements of this Consent Agreement and Final Order by the respondent, the Consent Agreement will be satisfied and the case will be inactivated.
21. By signing this Consent Agreement and Final Order, Respondent acknowledges that Respondent has read and understands the entire document, and agrees to be bound by its terms. This Consent Agreement and Final Order constitute the entire agreement of the parties and may not be modified except in writing and approved by all parties. The effective date of this Consent Agreement and Final Order is the date shown on the certificate of service.
22. The presiding officer whose signature appears below has been designated pursuant to K.S.A. 77-514 and K.S.A. 77-526 to act on behalf of the Board/agency head and to hear discipline cases on behalf of the Board/agency head and to render either initial orders or final orders.
23. Disciplinary counsel shall serve a copy of this order upon the respondent.

IT IS SO ORDERED.



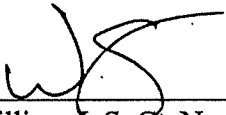
Rebecca Sander, MSN RN  
Presiding Officer  
Investigative Committee Chair  
Kansas State Board of Nursing

APPROVED BY:





Carly Adams, Respondent

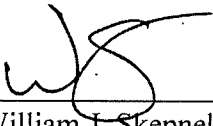


William J, S. Ct. No. 25470  
Assistant Attorney General  
Kansas State Board of Nursing  
Landon State Office Building  
900 SW Jackson #1051  
Topeka, KS 66612

**CERTIFICATE OF SERVICE**

On the 3<sup>rd</sup> day of June, 2022, I mailed a copy of this **CONSENT AGREEMENT AND FINAL ORDER** to:

Carly Adams  
1301 E 8<sup>th</sup> Ave.  
Winfield, KS 67156

  
\_\_\_\_\_  
William J. Skepnek  
Assistant Attorney General